
By: **Delegates Bartlett and Shank**

Introduced and read first time: February 7, 2003

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools - Extracurricular Activities - Home-Schooled and Private**
3 **School Students**

4 FOR the purpose of authorizing a public school to allow certain nonenrolled students
5 to participate in certain extracurricular activities under certain circumstances;
6 requiring public schools to give placement priority to certain students if certain
7 limitations exist in certain extracurricular activities; defining a certain term;
8 and generally relating to allowing home-schooled and private school students to
9 participate in public school sponsored extracurricular activities.

10 BY adding to

11 Article - Education
12 Section 7-114
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2002 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Education**

18 7-114.

19 (A) (1) IN THIS SECTION, "EXTRACURRICULAR ACTIVITY" INCLUDES MUSIC,
20 DRAMA PROGRAMS, STUDENT ORGANIZATIONS, OR OTHER PROGRAMS SPONSORED
21 BY A SCHOOL:

22 (I) IN WHICH A STUDENT MAY PARTICIPATE OUTSIDE OF REGULAR
23 SCHOOL HOURS; AND

24 (II) FOR WHICH A STUDENT DOES NOT EARN ACADEMIC CREDIT.

25 (2) "EXTRACURRICULAR ACTIVITY" DOES NOT INCLUDE
26 INTERSCHOLASTIC ATHLETICS.

1 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PUBLIC
2 SCHOOL MAY ALLOW A STUDENT WHO IS NOT ENROLLED IN THE SCHOOL TO
3 PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY SPONSORED BY THE SCHOOL TO
4 THE SAME EXTENT THAT A STUDENT WHO IS ENROLLED IN THE SCHOOL MAY
5 PARTICIPATE IN THE EXTRACURRICULAR ACTIVITY, IF THE NONENROLLED
6 STUDENT:

7 (1) (I) PARTICIPATES IN A HOME INSTRUCTION PROGRAM UNDER
8 WRITTEN AGREEMENT WITH THE COUNTY SUPERINTENDENT; AND

9 (II) IS ELIGIBLE TO ATTEND THE PUBLIC SCHOOL; OR

10 (2) (I) IS ENROLLED IN A PRIVATE SCHOOL THAT DOES NOT SPONSOR
11 THE EXTRACURRICULAR ACTIVITY; AND

12 (II) IS ELIGIBLE TO ATTEND THE PUBLIC SCHOOL.

13 (C) A PUBLIC SCHOOL SHALL GIVE PLACEMENT PRIORITY TO ANY STUDENT
14 ENROLLED IN THE PUBLIC SCHOOL SPONSORING THE EXTRACURRICULAR ACTIVITY
15 OVER ANY NONENROLLED HOME-SCHOOLED OR PRIVATE SCHOOL STUDENT IF
16 THERE ARE A LIMITED NUMBER OF SPACES AVAILABLE FOR STUDENTS IN THE
17 EXTRACURRICULAR ACTIVITY.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2003.